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Student Conduct Policy

Office of Accountability:	Provost and Vice-President (Academic)
Office of Administrative Responsibility:	Vice-Provost and Dean of Students
Approver:	Board of Governors General Faculties Council
Scope:	Compliance with this University policy extends to all University of Alberta students as defined in this policy.

Overview

The University is defined by tradition as a community of people dedicated to the pursuit of truth and advancement of knowledge, and as a place where there is freedom to teach, freedom to engage in research, freedom to create, freedom to learn, freedom to study, freedom to speak, freedom to associate, freedom to write and to publish. However, these freedoms come with the responsibility to respect and not infringe upon these freedoms when they are exercised by others. For these freedoms to exist, it is essential to maintain a **learning environment** that fosters the safety, security, and the inherent dignity of each member of the community and to ensure that students conduct themselves accordingly.

Purpose

The purpose of this policy is to:

- set out the conditions under which this policy applies;
- set out the principles that will guide the interpretation and application of this policy;
- provide clarity on privacy, disclosure and confidentiality;

- identify behaviours which are unacceptable and constitute student misconduct;
- situate the student conduct process in relation to concurrent external proceedings;
- authorize measures to enhance safety and ensure equitable access to the learning environment;
- describe the standard of proof;
- describe acceptable evidence;
- authorize and set out the principles that will guide the application of sanctions for **misconduct** that has been found to have occurred;
- clarify expectations of **parties** to a complaint;
- stipulate required training for **investigators** and decision-makers in the student conduct process;
- identify sources of on campus assistance;
- articulate the delegated authority, under the *Post-Secondary Learning Act of Alberta (PSLA)* to discipline students, subject to an appeal to the Board;
- provide for periodic review of, and amendments to, this policy and its related procedures; and
- provide definitions which apply to this policy and its related procedures.

Policy

The University acknowledges the values of academic engagement, respectful debate, peaceful assemblies and demonstrations, and participation in the many aspects of University life as ways to enhance intellectual growth, health and wellbeing, and a sense of belonging. The misconduct listed in this policy describes, in general terms, student behaviours which if left unchecked would, to an unacceptable degree, disrupt the learning environment, threaten the proper functioning of the University and/or negatively affect the property or reputation of the university, which benefit all members of the University community.

1. Application

This policy applies to all misconduct or alleged misconduct by a student or by students, by any means whatsoever (including virtual or online), that has a real and substantial link to or a material effect on the learning environment, whether or not it occurred on or in relation to University property. The determination of whether any misconduct has a real and substantial link or material effect may be made by the Office of the Dean of Students, an investigator or any person or body authorized to make decisions in the disciplinary processes set out in this policy.

2. Guiding Principles

This policy and its associated procedures are guided by and will be interpreted and applied by reference to the following principles:

- a. The University is responsible for taking reasonable steps to ensure the safety of all members of the University community and its visitors, and the proper functioning of the University.
- b. All members of the University community are entitled to expect safe and equitable access to a vibrant and supportive learning environment.
- c. The University will create a supportive space for students to be accountable and provide redress to individuals and/or the community affected by the harm resulting from their misconduct. Wherever possible and appropriate, individuals are encouraged to explore **non-disciplinary accountability options**, including educational, developmental, restorative, transformative, or other voluntary facilitated resolution options.
- d. The student cycle at the University necessitates a timely way to address conduct that negatively affects the University community and the learning environment. Misconduct that interferes with full participation in the learning environment must be addressed expeditiously and fairly.
- e. Parties to a complaint are entitled to an appropriate level of **procedural fairness**. **Complainants** and **respondents** under this policy have the right to:
 - i. an impartial and appropriately trained decision-maker;
 - ii. have their case decided within a reasonable time;
 - iii. timely communication;
 - iv. be accompanied by an **advisor** and/or support person, throughout their participation in any investigation, **hearing** or other aspect of the complaint process, and to be advised of these rights;
 - v. reasonable disclosure of the allegations in the complaint;
 - vi. reasonable opportunity to respond to the allegations in the complaint;
 - vii. reasonable notice of the time, place, and nature of any hearing;
 - viii. an opportunity to respond to or explain any evidence that does not support their accounts of events;

- ix. provide evidence and suggest witnesses or lines of inquiry;
- x. be provided with written reasons for any decision made under this policy; and
- xi. where applicable, be reasonably accommodated under the *Discrimination, Harassment and Duty to Accommodate Policy*.

3. Privacy and Personal Information

- a. Any use and disclosure of personal information contemplated in this policy and the related procedures will be in accordance with the *Freedom of Information and Protection of Privacy Act* of Alberta.
- b. Privacy and the protection of personal information are essential for creating an environment where parties to a complaint feel safe in discussing their experiences and responding to allegations. The University will protect the privacy of those involved in a complaint; however, it is important to note that there may be limits to the University's ability to do so, when:
 - i. there is a risk of harm to self or others;
 - ii. as necessary to administer interim measures, an investigation, hearings, or other elements of the student conduct process; or
 - iii. reporting or action is required or authorized by law, including but not limited to, under the *Occupational Health and Safety Act* of Alberta or the *Freedom of Information and Protection of Privacy Act* of Alberta
- c. In such cases, the use or disclosure of information will be limited to that which is reasonably necessary and only to those with a need to know. The extent to which the University can maintain privacy around a disclosure will be determined on a case-by-case basis. The University will endeavour to inform all parties of the limits of protection of personal privacy and confidentiality.

4. Confidentiality of the Student Misconduct Process

- a. University employees will only use or disclose personal information that they learn solely as a result of administering or participating in a University process related to student conduct in accordance with section 3 above. Contact the Information and Privacy Office for guidance about confidentiality and privacy.
- b. Parties and witnesses should not make public another person's personal information that they learn solely through any University process such as a complaint, investigation, interim measures, modifications, or non-disciplinary accountability options and should refrain from:

- i. posting another person's personal information on social media or online,
 - ii. distributing confidential University documents in whole or in part,
 - iii. sharing another person's personal information with individuals outside of their immediate circle of support, and
 - iv. prompting or eliciting others to disclose another person's personal information.
- c. The University does not prohibit parties and witnesses from speaking about their own experiences, including, but not limited to seeking support for healing or rehabilitation. However, when disclosing another person's personal information within their immediate circle of support, the party or witness is also responsible for communicating the need to keep the information confidential.
- d. In any event, inappropriate disclosure of another person's personal information may affect the integrity of a University process, breach another person's privacy rights, and/or bring about other legal risks for the individual who breaches another person's privacy rights.

5. Misconduct

- a. The conduct listed in Schedules A and B is prohibited and constitutes misconduct for which a complaint may be made under this policy.

6. Concurrent Criminal, Civil or Other Proceedings

- a. This policy and its associated procedures are independent of any criminal, civil, regulatory or other proceedings. Any aspect of the complaint process under this policy or its associated procedures may occur concurrently with, prior to, or following any criminal, regulatory, civil or other proceeding. In this regard:
 - i. The University is responsible for determining whether a student has violated this policy and is not responsible for determining violations of criminal or civil, regulatory or other proceeding.
 - ii. Where an incident is also being addressed by another body or authority, the University may, in its sole discretion, proceed with or suspend any aspect of the complaint process under this policy or its associated procedures.

7. Equity and Safety Measures

- a. Where there are safety concerns and/or barriers to full participation in the learning environment, the University may apply **interim measures**.

- b. In cases involving serious disruption, threats and violence, the University may invoke the *Protocol for Urgent Cases of Disruptive, Threatening or Violent Conduct*.
- c. Where applicable and necessary, the University may address the matter through means including, but not limited to, the *Trespass to Premises Act* of Alberta or the *Petty Trespass Act* of Alberta, reports or complaints to the appropriate law enforcement agency or professional governing body.

8. Standard of Proof

- a. All determinations that a violation of this policy has been established will be made on a **balance of probabilities** standard.

9. Evidence

- a. The student conduct process is not bound by the same rules of evidence as would apply in a court of law such as the *Alberta Evidence Act* or the law of evidence applicable to judicial proceedings. Decision makers under this policy and associated procedures can accept and consider any credible information that is relevant to the complaint including, for example, hearsay evidence.

10. Sanctions

- a. The aim of sanctions in general is to:
 - i. foster a safe, supportive and vibrant learning environment;
 - ii. promote accountability to individuals and the community; and/or
 - iii. rehabilitate the respondent, where possible.
- b. Sanctions are meant to be proportionate and the least restrictive means to accomplish the above aims. When considering sanction(s), a decision-maker can take into account any relevant factors.
- c. Sanction descriptions and their impact are detailed in Schedule C. Available sanctions include:
 - Conduct conditions
 - Exclusion
 - Expulsion
 - Fine
 - Refusal to consider applications

- Reprimand
- Restitution
- Suspension
- Suspension of essential or non-essential University services and resources

11. Who May Be a Complainant

- As described more fully in the procedure, a **reporting individual** may opt to be the complainant or, in consideration of their personal safety, availability or ability to participate, may request to act as a witness only or may withdraw from further participation.
- A reporting individual who chooses to act as witness only is entitled to receive regular updates regarding the investigation and decision(s), and to be advised of the outcome and reasons for any decision made.

12. Participation in the Investigation

- An investigation is a necessary and very important step in the complaint process. This is the reporting individual's and the parties' opportunity to provide all information and evidence, and to identify other witnesses who may have information and evidence relevant to the complaint.
- The investigator records the information and evidence gathered from the reporting individual and parties, and any other witnesses, in an investigation report. Decision makers will rely on the investigation report to make findings of fact for the purpose of determining whether or not a respondent violated this policy. Where, for example, a reporting individual, respondent or complainant does not participate in an investigation, the investigation report and decision will be based solely on the information that was gathered during the investigation.
- Accordingly, while the reporting individual and parties are not obligated or required to participate in an investigation, where they choose not to participate and decline to provide information to the investigator, they may be prohibited from later attempting to provide that information or evidence to University decision-makers under the *Student Misconduct Complaint Procedure* and the *Student Misconduct Appeal Procedure*.

13. Required Training

- In addition to training on the application and interpretation of this Policy suite, and other role-specific training, any person investigating or making decisions under this policy, and those advising them, will be trained in procedural fairness and anti-oppression.

- b. Investigators and decision-makers in cases related to interpersonal misconduct (Schedule A) will be additionally trained in **trauma-informed** practice, and the dynamics and myths of sexual and gender-based violence.
- c. Members of the **Appeal Panel** will additionally be trained in the standard of review applicable on appeals.

14. Sources of On Campus Assistance

- a. The Office of the Dean of Students, Office of the Student Ombuds, and Student Legal Services are available on-campus to provide assistance to students about the complaint process.

15. Delegation

Section 31 of the *Post-Secondary Learning Act* (PSLA) gives General Faculties Council (GFC) general supervision of student affairs including authority over student discipline. The GFC may, subject to an appeal to the Board, discipline students. In addition to this authority over student discipline, the GFC may, under the PSLA, delegate its power to discipline students.

Under this authority, the GFC has adopted and approved this *Student Conduct Policy* and the associated procedures and has delegated the functions in the student conduct process to the persons identified in this policy, the *Student Misconduct Complaint Procedure* and the *Student Misconduct Ticket Procedure*.

As noted, GFC's authority to discipline students is "subject to a right of appeal to the board". To fulfill this appeal function, the Board has adopted and approved the *Student Misconduct Appeal Procedure* and the *Student Misconduct Ticket Procedure*, and has delegated the functions in the appeal processes to the persons identified in the *Student Misconduct Appeal Procedure* and the *Student Misconduct Ticket Procedure*.

16. Review and Amendments

This policy will be reviewed from time to time as necessary, but at a minimum every five years.

- a. Amendments to the *Student Conduct Policy* and *Student Misconduct Complaint Procedure*:
 - i. The Student Conduct Policy Committee (SCPC) decides which amendments are editorial.
 - ii. On delegated authority from GFC, the SCPC will approve all editorial amendments to this policy and the *Student Misconduct Complaint Procedure*.

- iii. Where the SCPC deems amendments to this policy and the *Student Misconduct Complaint Procedure* to be substantive, the SCPC will forward the amendments to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.
 - iv. GFC has final authority on amendments to this policy and the *Student Misconduct Complaint Procedure*, except where they pertain to the Board's authority as described in section 15 above.
- b. Amendments to the *Student Misconduct Ticket Procedure*, sections 1-8:
- i. The SCPC decides which amendments are editorial.
 - ii. On delegated authority from GFC, the SCPC will approve all editorial amendments to section 1-8 of the *Student Misconduct Ticket Procedure*.
 - iii. Where the SCPC deems amendments to Sections 1-8 of the *Student Misconduct Ticket Procedure* to be substantive, the SCPC will forward the amendments to the GFC Executive Committee, which will decide whether or not it can act on behalf of GFC.
 - iv. GFC has final authority on amendments to the *Student Misconduct Ticket Procedure*, except where they pertain to the Board's authority as described in section 15 above.
- c. Amendments to the *Student Misconduct Ticket Procedure*, section 9 Appealing a Misconduct Ticket:
- i. The GFC Executive Committee will approve editorial amendments to section 9 of the *Student Misconduct Ticket Procedure*.
 - ii. All substantive changes to section 9 of the *Student Misconduct Ticket Procedure* will proceed to the BLRSEC, which will decide whether or not it can act on behalf of the Board of Governors.
- d. Amendments to the *Student Misconduct Appeal Procedure*:
- i. The GFC Executive Committee will approve editorial amendments to the *Student Misconduct Appeal Procedure*.
 - ii. All substantive changes to the *Student Misconduct Appeal Procedure* will proceed to the BLRSEC, which will decide whether or not it can act on behalf of the Board of Governors.

SCHEDULE A - INTERPERSONAL MISCONDUCT

1. Discrimination and Harassment

- a. Discrimination against any person or group of persons, on the basis of protected grounds, while participating in the learning environment.

Discrimination is: differential treatment, whether or not intentional, based on a protected ground set out below, that has the effect of imposing on an individual or group of individuals' burdens, obligations or disadvantages that are not imposed on others, or of withholding or limiting access to opportunities, benefits and advantages available to other individuals in the learning environment.

The protected grounds are: race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income, or sexual orientation.

- b. Harassment, including Bullying and/or Racial Harassment

Harassment is a single or repeated incident of objectionable, unwelcome or adverse conduct, comment, bullying or action by a person that the person knows or ought to reasonably know will or would cause offence or humiliation to another individual or adversely affects that individual's health and safety, and includes conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or otherwise.

Harassment includes bullying, which is a form of aggression that may include physical, verbal or emotional abuse. Bullying poisons the learning environment of the person it targets. It can include persistent, offensive, abusive, intimidating or insulting behavior which makes the individual feel threatened, humiliated and/or vulnerable.

The person(s) engaged in harassment need not have the intention to harass; it is the objective assessment of the circumstances that matters. How would a reasonable observer perceive the situation? A complainant need not expressly object to unwelcome conduct or comments, although any clear indication that the behaviour is unwanted will satisfy the test. A complainant's apparent passivity does not necessarily signal consent or welcomed behaviour, especially where a power imbalance exists between the individuals.

Racial harassment involves unwanted or unwelcome comments, conduct or behavior that humiliates, intimidates, excludes or isolates an individual or group by focusing on their race, ethnicity, origin or religion. Overall, racial harassment undermines self-

esteem and is a violation of the dignity and security of the individual or group(s) that it targets.

See the *Sexual and Gender-Based Violence Policy* for the definition of sexual harassment.

- c. Disseminating or causing to be disseminated information or material for the purpose of creating a social or academic climate that the student knows or ought reasonably to know, excludes, hinders or prevents the full participation of another person or group of persons in the learning environment.

2. Threats and Endangerment

- a. Threatening or inciting any kind of violence or abuse to any person or group of persons that the student knows or ought reasonably to know, would cause the person or group of persons to fear for their health or safety.
- b. Possessing any weapon, unless authorized by University of Alberta Protective Services.

A weapon is a firearm, ammunition, air gun, explosive device or their replicas; or other items prohibited by law in Canada or their replicas (examples include but are not limited to: brass knuckles, pepper spray, switchblade knives, butterfly knives, and nunchucks).

- c. Creating a condition that the student knows, or ought reasonably to know, endangers or potentially endangers or threatens the health, safety or well-being of another person or group of persons.

3. Physical Assault and Abuse

- a. Physical contact with another person without that person's consent.
- b. Physical abuse of another person or group of persons.
- c. Sexual and Gender-Based Violence as defined in the *Sexual and Gender-Based Violence Policy*.
- d. Retaliating against any person who has provided information, served as a witness or acted in an official capacity in any University process described in the *Student Misconduct Complaint Procedure*.

Retaliation is: taking, attempting to take or threatening to take any adverse action, reprisal or retribution of any kind against anyone involved in a student conduct process including the reporting individual, and anyone involved in an investigation or resolution of an allegation of misconduct, or friends or family members of those

individuals.

Retaliation can take many forms, including threats, intimidation, pressuring, harassment, continued abuse, violence or other forms or threats of harm to others, and be carried out in varying modes, including in person, via electronic communication or through third parties, with the aim of discouraging a person from participating in, administering, investigating or making a decision in any University process described in the *Student Misconduct Complaint Procedure*.

- e. Organizing, participating or engaging in hazing another person, regardless of whether the individual who is the subject of the hazing has consented to participate in or be subjected to the activities in question, or whether the activities in question constitute a ritual or tradition of an organization.

Hazing is creating an environment or committing any intentional, reckless or negligent act that:

- endangers the physical health, mental health or safety of another person; or
- produces physical or mental discomfort, embarrassment, humiliation, harassment, or ridicule; or
- results in the destruction, damage or removal of any public or private property; or
- causes, induces, pressures, coerces, or requires another person to violate any federal, provincial, municipal or University regulations;

for purposes that include, but are not limited to, initial or continued admission, affiliation or initiation with any student group, athletic team, or any formal or informal organization in the University Community. Examples of hazing include, but are not limited to: any brutality of a physical nature, such as whipping, beating, branding, paddling, or electric shocks, exercise not legitimately related to a sport, forced consumption of alcohol or other substances, inappropriate exposure to the elements, compulsory nudity or immodest dress, transportation and abandonment, threats or implied threats, verbal abuse, physical or psychological abuse, sleep deprivation, physical confinement, coerced hazing of another, compulsory servitude, degrading activities, sexual simulation, sexual assault, or theft or misuse of others' property.

SCHEDULE B - UNIVERSITY-RELATED MISCONDUCT

1. Damage
 - a. Possessing, misappropriating, converting, destroying or otherwise damaging University property or the property of any other member of the University community.
 - b. Defacing the inside or outside any building or property of the University.
2. Unauthorized Use
 - a. Using any University facility, property, equipment, material, service or resource contrary to express instructions or without proper authority.
 - b. Making, altering, using, receiving, or possessing University supplies or documents without authority.
 - c. Entering or remaining in any University building, facility, room, or office, without the proper authority, contrary to express instructions, or with intent to damage, destroy, convert or misappropriate University property.
 - d. Obtaining any University equipment, material, service or resource by fraudulent means or by providing false information.
 - e. Information Technology or Management misconduct, as defined in the *Information Technology Use and Management Policy* and the *Information Technology Use and Management Policy (Appendix A) Examples of Unacceptable Use* in UAPPOL.
 - f. Substance use, including alcohol, smoking or vaping at any time in any area of the University where it is banned.
3. Obstruction-related Violations
 - a. Using action, words, written material, or any other means to impede University functions or disrupt the learning environment.
 - b. Using words or images that incite others to engage in misconduct.
 - c. Refusing to provide identification upon request by a University Official or employee acting in the course of that person's duties, provided the University Official or employee has reason to believe the student is committing, has committed or is about to commit a violation.
 - d. Misrepresenting pertinent facts to any member of the University community for the purpose of obtaining unwarranted advantage.

- e. Participating in a violation, or advising, encouraging, or knowingly aiding or assisting, directly or indirectly, another person to commit any violation under this policy.
- f. Offering or providing a monetary or other benefit to any member of the University for the purpose of gaining unwarranted advantage.

4. Other Applicable Policy Violations

- a. Violating any University policy that applies to students.
- b. Breaching conditions or restrictions applied through interim measures or the *Protocol for Urgent Cases of Disruptive, Threatening or Violent Conduct*.

SCHEDULE C - SANCTION DESCRIPTIONS AND IMPACT

1. Conduct conditions

- a. Specific conditions or restrictions for a time not to exceed the duration of the respondent's degree program, that may include the following:
 - i. not to commit any further violations during the term of the conduct conditions;
 - ii. to report at specified periods to a specified University official;
 - iii. to abstain from the consumption of alcohol, drugs (except in accordance with a medical prescription), or other intoxicating substances while on University property;
 - iv. to complete a relevant reflection assignment;
 - v. to write a letter of apology;
 - vi. to refrain from contact with an identified person or persons;
 - vii. to refrain from being at or being within a specified distance from a specified place or person on University property; and/or
 - viii. such other reasonable conditions considered desirable for:
 1. protecting the University community,
 2. encouraging the student to take responsibility for the misconduct,
 3. rehabilitating the student, and
 4. ensuring that the student provides reparation for harm done to an individual, the learning environment, or damage to University property or the property of others.
- b. Conduct conditions will specify who has the responsibility to ensure compliance with the terms and to certify, when and as necessary, that the conditions have been met to a reasonable standard of performance, or have been breached.
- c. The sanction of conduct conditions will specify the consequence to be imposed should the respondent not meet the conditions specified, either in the form of a sanction from Schedule C of this policy or an **encumbrance** on the student's academic record.

Any appeal of the conduct conditions must be made at the time they are imposed and within the time limits set out in the *Student Misconduct Appeal Procedure*. If any

of the conditions are not met, no further appeal is available when the specified consequence is imposed.

- d. The details of any conduct conditions will be kept in the Student Conduct Officer's file according to the established record retention schedule.
- e. Any new violation that constitutes a breach of the prescribed conduct conditions during the defined period may lead to an additional complaint under this policy.

2. Exclusion

- a. Exclusion prohibits or restricts the respondent's presence on campus and participation in any University activity or event for either a specified time, until specified conditions are met for return to campus, or indefinitely. A respondent may be excluded from all or specified parts of the University.
- b. Exclusions will be noted as a **negative service indicator** on the respondent's **central academic record** until:
 - i. the period of exclusion has expired,
 - ii. the respondent has met any conditions set for return to the University, or
 - iii. indefinitely, where the sanction of exclusion does not expire.
- c. In all cases of exclusion, the notation will include a description of the areas of the University from which the respondent is barred (all areas of the University or specified areas).
- d. The respondent will receive credit for any course passed before the effective date of the exclusion.
- e. Withdrawals resulting from a decision of exclusion will show as grades of "W" on the **transcript** and will remain part of the central academic record.
- f. Any fee refund dates outlined in the *University Calendar* will apply.

3. Expulsion

- a. A complete withdrawal from the University for an indefinite period of time.
- b. Expulsion will be noted in the respondent's academic file in the Faculty in which they are registered, as a negative service indicator in the student's central academic record and on the respondent's transcript in perpetuity.
- c. The respondent will receive credit for any course passed before the effective date of the expulsion. Withdrawals resulting from a decision of expulsion will show as grades of "W" on the respondent's transcript and will remain part of their central

academic record.

- d. A respondent will be withdrawn from all courses as of the date of expulsion and any fee refund dates outlined in the *University Calendar* will apply.
- e. The respondent may, after no less than four years have elapsed, submit a request to the **Provost** to be readmitted. On receiving the request, the Provost will consult with the Student Conduct Officer and the Faculty/College from which the respondent was expelled. The decision of the Provost is final and not subject to appeal.
- f. Any course work completed at any institution during the period of expulsion will not be accepted as credit towards a student's degree, or for admission to a Degree program, or any other certification at the University of Alberta.

4. Fine

- a. An order that a student pay a specified sum to the University. All funds from fines are directed toward student bursaries.
- b. The fine is noted as a negative service indicator on the student's central academic record until it is paid in full. If the student fails to pay the fine by the deadline set by the Student Conduct Officer, and has not contacted the Student Conduct Officer to make alternate payment arrangements, the student's central academic record will be encumbered until the amount is paid in full.

5. Refusal to Consider Applications

- a. The University may refuse to consider applications for admission for a specified time period up to 5 years or indefinitely.
- b. Where a sanction of refusal to consider applications has been imposed, it will be noted as a negative service indicator on the student's central academic record until the sanction expires.
- c. The respondent may, after no less than five years have elapsed, submit a request to the Provost to be reconsidered for admission. On receiving the request, the Provost will consult with the Student Conduct Officer and the Registrar's Office. The decision of the Provost is final and not subject to appeal.

6. Reprimand

- a. A note that a respondent has been found responsible for a policy violation.
- b. A reprimand is kept in the Student Conduct Officer's file, according to the established record retention schedule.

7. Restitution

- a. An order that a respondent pays money:
 - i. to one or more of another individual, a corporation, an unincorporated association or other unincorporated group, or the University, as repayment for damage to or the loss or destruction of any property as the result of the commission of a violation by the respondent. The amount of restitution must not exceed the replacement cost of the property as of the date that the sanction is imposed, less the value of any part of the property that has been returned; and/or
 - ii. to an individual who has suffered bodily harm as a result of interpersonal misconduct, as repayment for expenses or loss of income suffered as a result of the violation. Restitution is not payable as compensation for pain and suffering.
- b. The amount of restitution will be calculated based on receipts, invoices, other records or letters and/or estimates for the cost of the damage or injury caused by the respondent.
- c. The sanction of restitution is noted as a negative service indicator on the respondent's central academic record until it is paid in full. If the respondent fails to pay the restitution by the deadline set by the Student Conduct Officer and has not contacted the Student Conduct Officer to make alternate payment arrangements, the respondent's record will be encumbered until the amount is paid in full.
- d. The Student Conduct Officer who imposed the sanction will determine when the restitution has been paid in full. Where a respondent is unable to pay the restitution in full by the assigned date, the Student Conduct Officer may approve a payment schedule or alternate arrangements. This decision is final and not subject to appeal.

8. Suspension

- a. A complete withdrawal from the University, the respondent's program in the University, and all University activities for a specified period of time, to a maximum of three years.
- b. Suspension will be noted on the respondent's central academic record, transcript, and in the respondent's academic file held by the faculty in which the student is enrolled during the period of the suspension. At the discretion of the Student Conduct Officer, the suspension may be noted on the transcript for a further period of up to three years after the end of the suspension.
- c. The respondent will receive credit for any course passed before the effective date

of the suspension.

- d. Withdrawals resulting from a decision of suspension will show as grades of "W" on the respondent's transcript and will remain part of the central academic record.
 - e. A respondent will be withdrawn from all courses as of the date of a suspension; the fee refund dates outlined in the *University Calendar* will apply.
 - f. A respondent who has been suspended for less than 12 months will be permitted to re-enroll in the program from which they were suspended provided they have not been required to withdraw in accordance with the Faculty's published Academic Standing regulations.
 - g. If the suspension is for 12 months or more, the respondent must apply for readmission to the University. Refer to the *University Calendar* for more information on admission and readmission.
 - h. Any course work completed at any institution during the period of Suspension will not be accepted as credit towards an individual's Degree, or for admission to a Degree program, or other certification at this University.
9. Suspension of Essential or Non-essential University Services and Resources
- a. The denial, for a specified period of time or indefinitely, of specific services and resources.
 - b. The classification of an essential service or resource refers to those services and resources that are necessary for the completion of a student's program of studies at the University.
 - c. The suspension of University services and resources will be noted as a negative service indicator in the respondent's central academic record and the file held by the Student Conduct Officer. In addition, the suspension will be communicated to the unit which administers the service or resource as required to implement the sanction, and to University of Alberta Protective Services (UAPS).

Definitions

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use.	
Student	A person who is or has been registered as a student at the University whether or not for credit and includes current Undergraduate and Graduate Students, postgraduate learners, former Students, and graduates who have received a Degree, diploma or certificate from the University.
Learning environment	<p>The learning environment is to be understood broadly to encompass all aspects of University life. It includes:</p> <ul style="list-style-type: none"> • physical and virtual spaces where University teaching, learning, work, research, residence, recreational and social activities take place; • University activities, events and functions, including, but not limited to, teaching, research, studying, work, administration, meetings, public service, travel, conferences, and training; public lectures, performances, student group events, and social or sports activities.
Misconduct	Prohibited conduct as set out in Schedules A and B of the <i>Student Conduct Policy</i> .
Party/Parties	A complainant or a respondent in a complaint under this policy and the related procedures.
Investigator	An impartial individual who interviews complainants, respondents and witnesses; collects evidence; finds facts; and generates the investigation report that is forwarded to the Student Conduct Officer.
Non-disciplinary accountability options	Collaborative facilitated processes to explore interpersonal accountability options outside of a complaint. Typically requested by the reporting individual but voluntary for all parties, interpersonal accountability options are intended to be flexible and creative, and may include, but are not limited to: restorative practices, transformative justice, culturally-specific and appropriate practices, peacemaking circles, educational and other

	remedial activities.
Procedural fairness	The elements of the process used by a decision-making body authorized by statute or policy to make a decision that affects an individual's rights, privileges, or interests, that give effect to an individual's right to reasonable notice of the case to meet, the opportunity to respond and the right to an impartial decision maker.
Complainant	A reporting individual who elects to act as a party to the complaint or the person designated by the Dean of Students to act as a party to the complaint, on behalf of the reporting individual. Complainants have specified rights in the complaint process.
Respondent	A student who is the subject of a complaint under this policy.
Advisor	A person who assists a complainant or respondent during the disciplinary process. Assistance may be provided by the Office of the Student Ombuds, Student Legal Services, legal counsel or another advisor as the parties choose.
Hearing	The opportunity for complainants and respondents to provide or respond to information, arguments, and evidence in a complaint process. A hearing can take the form of written document exchange and/or one or more oral meetings, either virtual or in-person, between the decision maker and each of the parties and witnesses, but will not involve face-to-face encounters between the parties, each other's advisors and/or witnesses.
Interim measures	<p>Non-disciplinary conditions or restrictions that the University may apply to a person within the scope of this policy alleged to have committed a violation under this policy. Such conditions may be applied in response to a disclosure or complaint.</p> <p>The purposes of interim measures are to ensure the reporting individual's safety or the safety of the University's learning environment, to remove barriers to the reporting individual's access to the learning environment, to discourage or prevent retaliation, prevent further harm and/or preserve the University's ability to conduct an investigation.</p>

	Interim measures are not based on a finding of a policy violation, are not considered sanctions under any University complaint process, and will not be interpreted or used in a complaint as evidence in a complaint that the person under allegation committed misconduct.
Balance of probabilities	The standard of proof required to find a violation of this policy. This standard requires that it is <u>more likely than not</u> , based on the available evidence, that the respondent was in violation of this policy.
Reporting individual	An individual who reports having been subjected to misconduct as defined in Schedule A or Schedule B of the <i>Student Conduct Policy</i> .
Trauma-informed	An approach to processes, procedures, and service provision that incorporates and responds to the effects of trauma. A trauma-informed approach takes into account the potential effects of trauma on cognition, memory and behaviour and incorporates steps to address the needs created by trauma and to prevent retraumatization.
Student Misconduct Appeal Panel	The decision-making body authorized to hear appeals of the decision of the Student Conduct Officer.
Encumbrance / encumber	<p>A notation by the Registrar in the form of a negative service indicator on a student's central academic record that results in the withholding of the respondent's grades or other indicators of academic attainment, withholding of transcripts, denial or termination of registration until the Student Conduct Officer confirms to the Registrar that:</p> <ol style="list-style-type: none"> 1. a specified Fine has been paid as directed by the Student Conduct Officer or that arrangements satisfactory to the Student Conduct Officer have been made to do so; 2. restitution has been made to the satisfaction of the University of Alberta; or 3. the student has fulfilled specified conduct conditions.

Negative service indicator	A transitory notation that can be placed on a student's central academic record during the period it is in effect. Service indicators assist staff in the provision or restriction of services but do not appear on a transcript. Negative service indicators can be used for financial, disciplinary or other extraordinary matters. Examples include but are not limited to: parking fines, library fines, disciplinary fines, orders of restitution, suspension, and exclusions.
Central academic record	A continuing record maintained by the Office of the Registrar, where all matters relating to courses, grades, and academic standing and probation are permanently recorded. Transitory notations, such as service indicators are also noted in the central academic record while they are in effect.
Transcript	A student's official academic record issued by the Office of the Registrar and bearing the signature of the Registrar. Information for the transcript is drawn from the central academic record. Information included on the University of Alberta transcript is found in the University Calendar.
Provost	Provost and Vice-President (Academic) or delegate

Related Links

Information

- [Interim Measures Examples and Supports](#)
- [University Calendar](#)

Sources of on-campus assistance

- [Office of the Dean of Students](#)
- [Office of the Student Ombuds](#)
- [Student Legal Services](#)
- [Students' Union \(SU\)](#)
- [Graduate Students' Association \(GSA\)](#)
- [l'Association des Universitaires de la Faculté Saint-Jean \(AUFSJ\)](#)
- [Augustana Students' Association](#)

Other conduct policies

- [Discrimination, Harassment and Duty to Accommodate Policy](#)
- [Information Technology Use and Management Policy](#)
- [Information Technology Use and Management Policy \(Appendix A\) Examples of Unacceptable Use \(UAPPOL\)](#)
- [Practicum Intervention Policy](#)
- [Protocol for Urgent Cases of Violent, Threatening or Disruptive Behaviour](#)
- [Residence Community Standards](#)
- [Sexual and Gender-Based Violence Policy](#)
- [Student Groups Procedure](#)

If any of the links are broken, please contact uappol@ualberta.ca

Published Procedures of This Policy

- [Student Misconduct Complaint Procedure](#)
- [Student Misconduct Ticket Procedure](#)
- [Student Misconduct Appeal Procedure](#)